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Central Intelligence Agency

DDT:

65678-85/1



Washington, D.C. 20505

16 NOV 1985

Mr. Anthony J. Calio, Administrator
National Oceanic and Atmospheric Administration
United States Department of Commerce
14th & Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Mr. Calio:

Thank you for your recent letter informing us of your intention to designate Italy as a reciprocating seabed mining state. The information concerning that decision is useful. As in the past, this Agency shall continue to monitor foreign deep seabed mining activities and other international ocean issues and keep you informed of pertinent information that we discover.

Sincerely,

/s/ William J. Casey

William J. Casey
Director of Central Intelligence

L-309

#5

DDI- 05678-85

14 NOV 1985

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Executive Director

FROM: Robert M. Gates
Deputy Director for Intelligence

SUBJECT: Reply to Letter from Mr. Anthony J. Calio,
Administrator of NOAA, Concerning Designation
of Reciprocal Seabed Mining States

1. Action Requested: Your signature on the attached letter to Mr. Anthony J. Calio, Administrator of NOAA, acknowledging receipt of his recent letter concerning the designation of Italy as a reciprocating seabed mining state.

2. Background: The Deep Seabed Hard Minerals Resources Act, signed into law in June 1980, provides a legal framework for US citizens to mine the deep seabed outside the authority of the 1982 Law of the Sea Convention, which declares seabed minerals the common heritage of mankind and claims full control over their exploitation. The Act also authorizes the Administrator of NOAA, in consultation with other Federal agencies, to designate as reciprocating seabed mining states other nations with seabed mining legislation compatible with that of the United States. Such legislation would provide for the regulation of seabed miners, recognition of mining authorizations issued by the United States, and the proscription of interference in other countries' high seas freedoms. This done, the Department of State and NOAA are then authorized to negotiate agreements with reciprocating states to provide for mutual recognition of mining licenses, resolution of disputes, and cooperation in other aspects of seabed mining.

3. In September 1984, the Administrator of NOAA designated the United Kingdom, Japan, France, and the Federal Republic of Germany reciprocating states, informing you by letter of his intention to do so in July 1984. The attached letter from the NOAA Administrator informs you of his intention to designate Italy, which has recently enacted seabed mining legislation, a reciprocating state.



Robert M. Gates

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Attachment:
As stated



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L 309

SUBJECT: Reply to Letter from Mr. Anthony J. Calio,
Administrator of NOAA, Concerning Designation
of Reciprocating Seabed Mining States

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OGI/GD/ERA, [redacted] (12Nov85)

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TO:

		ACTION	INFO	DATE	INITIAL
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	SUSPENSE		13 Nov 85	Date	<i>[Signature]</i>

Remarks

To 5: As in the case of the 30 July 84 letter from former Administrator Byrne, please have (OGI) prepare response (your draft signed by DOD 16 August 84).

Executive Secretary

4 Nov 85

Date



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230**

THE ADMINISTRATOR

Executive Registry	
85-	4184

Honorable William J. Casey
Director, Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Casey:

The Deep Seabed Hard Mineral Resources Act (P. L. 96-283, the Act) assigns to the National Oceanic and Atmospheric Administration (NOAA) the responsibility to develop and implement a regulatory program for deep seabed mining, pursuant to which NOAA issues licenses and permits to U.S. citizens to engage in such operations.

Section 118 of the Act authorizes the Administrator of NOAA, in consultation with the Secretary of State and the heads of other appropriate departments and agencies, to designate another nation as a reciprocating state upon specified findings being made by the Secretary of State with respect to such nation's seabed mining program. This amounts to a mechanism for mutual recognition of licenses between the United States and the other nation. The Act also authorizes the negotiation of international agreements to implement this section.

Pursuant to this authority, the Department of State, with the participation of NOAA, negotiated and in 1984 signed an agreement with other seabed mining nations which will prevent conflicts among their respective mining areas. The development of this agreement was discussed periodically with the Interagency Group on Oceans Policy and Law of the Sea, of which your agency is a member. As part of that consultation, the Administrator of NOAA advised you by letter in July 1984 that he intended to designate as reciprocating states the United Kingdom, Japan, France and the Federal Republic of Germany. Those designations took effect in September 1984.

Since that time Italy (another party to the seabed mining agreement) has enacted seabed mining legislation. Representatives of the Department of State and NOAA have been consulting with Italian officials as Italy develops its implementing regulations.



1-309

The purpose of this letter is to continue our consultation with you, and to advise you that, contingent upon my receipt of the prescribed findings from the Secretary of State, I intend to designate Italy as a reciprocating state.

Sincerely,

Anthony J. Calio
Anthony J. Calio



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230**

THE ADMINISTRATOR

JUL 30 1984

Executive Registry

84-3034

Honorable William J. Casey
Director, Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Casey:

The Deep Seabed Hard Mineral Resources Act (P.L. 96-283, The Act) assigns to the National Oceanic and Atmospheric Administration (NOAA) the responsibility to develop and implement a regulatory program for deep seabed mining, pursuant to which NOAA issues licenses and permits to U.S. citizens to engage in such operations.

Section 118 of the Act authorizes the Administrator of NOAA, in consultation with the Secretary of State and the heads of other appropriate departments and agencies, to designate another nation as a reciprocating state upon specified findings being made by the Secretary of State with respect to such nation's seabed mining program. This amounts to a mechanism for mutual recognition of licenses between the United States and the other nation. The Act also authorizes the negotiation of international agreements to implement this section.

Pursuant to this authority, the Department of State, with the participation of NOAA, has negotiated an agreement with other seabed mining nations which will prevent conflicts among their respective mining areas. The development of this agreement has been discussed periodically with the Interagency Group on Oceans Policy and Law of the Sea, of which your agency is a member. This agreement is now completed.

The purpose of this letter is to continue our consultation with you, and to advise you that, contingent upon the signature of the referenced agreement and my receipt of the prescribed findings from the Secretary of State, I intend to designate as reciprocating states the United Kingdom, Japan, France and the Federal Republic of Germany.

Sincerely yours,

John V. Byrne



1-309

Central Intelligence Agency



16 AUG 1984

Washington, D.C. 20505

04644-84/1

AH FR84-3034

Dr. John V. Byrne, Administrator
National Oceanic and Atmospheric Administration
United States Department of Commerce
14th & Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Dr. Byrne:

Thank you for your letter of 30 July informing us of the designation of the United Kingdom, Japan, France, and the Federal Republic of Germany as reciprocating seabed mining states. The information concerning that decision is useful. As in the past, this Agency shall continue to monitor foreign deep seabed mining activities and other international ocean issues, and keep you informed of pertinent information that we discover.

Sincerely,

/s/ William J. Casey

William J. Casey
Director of Central Intelligence

~~DDI- 04644/84~~10 AUG
1984

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Executive Director

FROM: Robert M. Gates
Deputy Director for Intelligence

SUBJECT: Reply to Letter from Dr. John V. Byrne,
Administrator of NOAA, Concerning Designation
of Reciprocal Seabed Mining States

1. Action Requested: Your signature on the attached letter to Dr. John V. Byrne, Administrator of NOAA, acknowledging receipt of his letter of 30 July 1984.

2. Background: The Deep Seabed Hard Minerals Resources Act, signed into law in June 1980, provides a legal framework for US citizens to mine the deep seabed outside the authority of the 1982 Law of the Sea Convention, which declares seabed minerals the common heritage of mankind and claims full control over their exploitation. The United Kingdom, Japan, France, and the Federal Republic of Germany have instituted similar laws.

3. The Administrator of NOAA, in consultation with other Federal agencies, has designated these countries as "reciprocal states" because their seabed mining laws are compatible with that of the US in that they provide for the regulation of seabed miners, the recognition of mining authorizations issued by the United States, and the proscription of interference in other countries' high seas freedoms. The Department of State and NOAA are thus authorized to negotiate agreements with reciprocal states to provide for mutual recognition of mining licenses, resolution of disputes, and cooperation in other aspects of seabed mining.

4. On 3 August 1984, the United States, the four reciprocal states, and Belgium, Italy, and the Netherlands signed such an agreement--the Provisional Understanding Regarding Deep Seabed Matters. The latter three countries are in varying stages of preparing national seabed mining legislation and are expected to be designated reciprocal states when they enact such laws.



Robert M. Gates

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Attachment:
As stated



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OGI/GD/ERA [redacted] (9August1984)